

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

VINCENT M. GEORGE, JR. (#2013-0708145),)	
)	
Plaintiff,)	
)	
v.)	Case No. 14 C 8793
)	
THOMAS J. DART , et al.,)	
)	
Defendants.)	


MEMORANDUM ORDER

As a result of an unfortunate combination of errors, this action -- originally brought pro se by Cook County Department of Corrections ("County Jail") inmate Vincent George, Jr. ("George") -- was not only dismissed in September of last year at the instance of one of his designated counsel, Evan Smola, but also resulted in a communication from George that reflected his mistaken belief that the dismissal was "with prejudice." George, whose pro se Complaint had asserted deliberate indifference to a medical need (a hernia operation), had ultimately received the hernia operation he had requested, and attorney Smola then advised this Court that no other relief was called for and that dismissal of the case -- though without prejudice -- was appropriate.

This Court learned six months later, as the result of an inquiry received from George himself asking what had happened to his lawsuit, that he had intended to seek damages as well as medical relief. It then issued a May 12, 2016 memorandum order directing attorney Smola and his co-counsel Christopher Hurley to appear on May 23 "to discuss what further proceedings may be appropriate on George's behalf." At that time counsel advised this Court that in their

view, which they had communicated to George, it is doubtful that he had stated a viable 42 U.S.C. § 1983 claim because the medical records reflected that he had received ongoing medical care, under which he was receiving conservative treatment that ultimately ended up in a decision to go the surgical route.

At the conclusion of the May 23 hearing, attorney Smola advised that he and George had "agreed to touch base in about a month to go over what the next step would be for him." No further communication has come to this Court since then, and accordingly it orders attorney Smola to file a brief written report on or before June 28 advising as to whatever decision he and his client have reached.

A handwritten signature in cursive script, reading "Milton I. Shadur".

Milton I. Shadur
Senior United States District Judge

Date: June 23, 2016